

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, FEBRUARY 4, 2003
COUNTY COMMISSIONERS CHAMBERS, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

Commissioners Present: Bernie Heier, Chair
Larry Hudkins
Deb Schorr
Bob Workman

Commissioners Absent: Ray Stevens, Vice Chair

Others Present: David Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

Others Absent: Kerry Eagan, Chief Administrative Officer

A moment of silence was observed in tribute to the astronauts aboard the space shuttle Columbia.

The Board of Commissioners meeting was called to order at 1:30 p.m.

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, January 28, 2003. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.ci.lincoln.ne.us>)

MOTION: Hudkins moved and Workman seconded approval of the minutes of the Board of Commissioners meeting dated January 28, 2003. Schorr, Hudkins, Workman and Heier voted aye. Motion carried.

- 2) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

3) **CLAIMS:** Approval of all claims processed through Tuesday, February 4, 2003.

MOTION: Workman moved and Hudkins seconded approval of all claims processed through February 4, 2003. Workman, Heier, Schorr and Hudkins voted aye. Motion carried.

4) **NEW BUSINESS:**

A. An agreement with Educational Service District 101 for Corrections Learning Network (CLN) programming for the Lancaster County Corrections Department. Educational Service District 101 shall provide the County with a satellite dish and programming for inmates and staff. The County shall provide the Educational Service District 101 with information regarding school enrollment and classroom size. The term of the agreement is from the date of execution until August 31, 2003. (C-03-0046)

David Johnson, Deputy County Attorney, gave a brief explanation regarding the agreement, noting that it doesn't include the standard language which the County uses. He added that the agreement also does not include the standard liability which the County uses, however, it is felt that there is little or no exposure with regard to liability because Educational Service District 101 would be sending the County a satellite dish and the County would be receiving CLN programming via the satellite.

MOTION: Workman moved and Schorr seconded approval of an agreement with Educational Service District 101 for Corrections Learning Network (CLN) programming for the Lancaster County Corrections Department. Workman, Hudkins, Schorr and Heier voted aye. Motion carried.

B. An amendment to an agreement with Cole Layer Trumble for support and maintenance of the OASIS software. The amendment adds additional language regarding liability. (C-03-0049)

The Clerk indicated that the amendment would be held at the request of the County Attorney's Office.

4) **NEW BUSINESS CONTINUED:**

C. A renewal application with the State of Nebraska, Department of Health and Human Services for a license for the Community Mental Health Center to operate as a 15 inpatient bed mental health center. The County shall pay \$200 in renewal fees. The current license expires February 28, 2003. (C-03-0045)

MOTION: Schorr moved and Hudkins seconded approval of a renewal application with the State of Nebraska, Department of Health and Human Services for a license for the Community Mental Health Center to operate as a 15 inpatient bed mental health center. Workman, Schorr, Hudkins and Heier voted aye. Motion carried.

D. An organization provider application with Magellan Behavioral Health, Inc. for reimbursement of services provided by the Community Mental Health Center of Lancaster County. Once the application is approved the County shall receive an agreement for Board approval. (C-03-0047)

MOTION: Hudkins moved and Schorr seconded approval of an organization provider application with Magellan Behavioral Health, Inc. for reimbursement of services provided by the Community Mental Health Center of Lancaster County. Heier, Workman, Hudkins and Schorr voted aye. Motion carried.

E. Certificate of Authority for Wells Fargo Bank authorizing Bernie Heier, as the County Board Chair, and Bruce Medcalf, as the County Clerk, to sign on behalf of the County for transactions on both of its accounts with the bank. (C-03-0044)

Johnson explained that the County previously entered into a Master Services Agreement with Wells Fargo Bank. He stated the certificate of authority relates to the County's account, and the provisions, as outlined in the Master Services Agreement, apply to the County's account, as well as the certificate of authority.

4) **NEW BUSINESS CONTINUED:**

Johnson requested the County Board to accept the following in Subsection 3, by deleting "copy of the Bank's documents" and inserting " Master Services Agreement" and in Subsection 7 deleting "an agreement" and inserting "the Master Services Agreement". He added that he spoke with Jan Sheridan, a representative with Wells Fargo Bank, who indicated there would not be a problem with the changes. Johnson also requested that the Chair initial those changes.

MOTION: Hudkins moved and Workman seconded to authorize Bernie Heier, as the County Board Chair, to sign on behalf of the County for transactions on both accounts with Wells Fargo Bank, including the interlineations as outlined by the Deputy County Attorney and to authorize Bruce Medcalf, as the County Clerk, to sign on behalf of the County for transactions on both accounts with the bank. Schorr, Workman, Heier and Hudkins voted aye. Motion carried.

F. Recommendation from the Purchasing Agent and the County Engineer to award a bid to Christensen Brothers, Inc., in the amount of \$1,694,781.31, for the construction of the Firth Viaduct; Project C55-X-402(5). (B-03-0004)

Don Thomas, County Engineer, appeared and stated he received a telephone call from Concrete Industries, who will be supplying the concrete girders, offering "value engineering". Thomas explained that Concrete Industries has new technology which they would like to recommend and would do a redesign of the bridge, at their expense, to determine if there is a way to save money. If they determine that there is a way to save money, Concrete Industries would then deduct their engineering costs from the savings and split it between the County and themselves.

Thomas requested that the award be placed on pending until the contract with the railroad is completed.

By direction of the Chair, the award of bid to Christensen Brothers, Inc., in the amount of \$1,694,781.31, for the construction of the Firth Viaduct; Project C55-X-402(5) was placed pending.

4) NEW BUSINESS CONTINUED:

G. Recommendation from the Purchasing Agent and the County Engineer to award a bid to SCS Construction, Inc., in the amount of \$14,450, for crack sealing at the following locations: (B-03-0005)

- ▶ On Firth Road from Highway 77 east 10.9 miles to Highway 43, except for a 0.5 mile portion of Firth Road west of Everett Street (in Firth)
- ▶ On Hallam Road from Southwest 100th Street east 3.5 miles to the Village of Hallam
- ▶ On Panama Road from South 68th Street east 6.3 miles to the Village of Panama
- ▶ On South 68th Street from Princeton Road north two miles to Panama Road

MOTION: Schorr moved and Hudkins seconded to accept the recommendation from the Purchasing Agent and the County Engineer to award a bid to SCS Construction, Inc., in the amount of \$14,450, for crack sealing at various location within the County. Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

H. Recommendation from the Purchasing Agent and the County Engineer to award a bid to Midwest Fence Company d/b/a Guardrail Systems, Inc., in the amount of \$20,500, for bridge rail and guard rail construction at County Structure X-129 located at approximately South 54th Street and Panama Road in Lancaster County, Nebraska. (B-03-0006)

MOTION: Hudkins moved and Schorr seconded to accept the recommendation from the Purchasing Agent and the County Engineer to award a bid to Midwest Fence Company d/b/a Guardrail Systems, Inc., in the amount of \$20,500, for bridge rail and guard rail construction at County Structure X-129 located at approximately South 54th Street and Panama Road in Lancaster County, Nebraska. Workman, Schorr, Hudkins and Heier voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

- I. **Promotion and setting of salary for Jennifer Villebro, with the Public Defender's Office, from Attorney I to Attorney II, at \$54,000 annually, effective February 5, 2003.**

MOTION: Workman moved and Hudkins seconded approval of the promotion and setting of salary for Jennifer Villebro, with the Public Defender's Office, from Attorney I to Attorney II, at \$54,000 annually, effective February 5, 2003. Hudkins, Workman, Heier and Schorr voted aye. Motion carried.

- J. **A political subdivision tort claim filed against Lancaster Manor by Daniel A. Fix, on behalf of Helen Scholz.**

MOTION: Workman moved and Hudkins seconded denial of a political subdivision tort claim filed against Lancaster Manor by Daniel A. Fix, on behalf of Helen Scholz. Schorr, Heier, Workman and Hudkins voted aye. Motion carried.

- K. **A political subdivision tort claim filed against the Lancaster County Corrections Department by Michael S. Wert for lost property, in the amount of \$27.95.**

MOTION: Workman moved and Hudkins seconded to accept the Director's recommendation and deny the political subdivision tort claim filed against the Lancaster County Corrections Department by Michael S. Wert for lost property, in the amount of \$27.95. Hudkins, Schorr, Heier and Workman voted aye. Motion carried.

- 5) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. **Receive and Place on File:**

1. **County Engineer's quarterly report for October, November and December, 2002.**
2. **County Engineer's quarterly report for the Geographic Information System (GIS) Division for October, November and December, 2002.**
3. **Women's Voices: Finding Solutions 2003 Special Report.**

5) CONSENT ITEMS CONTINUED:

B. Setting of a public hearing for Tuesday, February 18, 2003 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding County Change of Zone 210, requested by Jack W. Duke, Jr. and Joy L. Duke, from AG Agricultural to AGR Agricultural Residential, on property generally located at Southwest 126th street and West "O" Street (Highway 6) in Lancaster County, Nebraska.

C. A quit claim deed between Matthew P. and Briana L. Graham and the Lancaster County Engineering Department regarding the vacation of a portion of Madison Street in Walton, Nebraska. (C-03-0048)

MOTION: Hudkins moved and Schorr seconded approval of the Consent Items. Schorr, Hudkins, Heier and Workman voted aye. Motion carried.

6) ADJOURNMENT:

MOTION: Schorr moved and Hudkins seconded adjournment of the Board of Commissioners meeting at 1:45 p.m. Heier, Schorr, Hudkins and Workman voted aye. Motion carried.

Bruce Medcalf
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, FEBRUARY 4, 2003
COUNTY COMMISSIONERS CHAMBERS, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

Commissioners Present: Bernie Heier, Chair
Larry Hudkins
Deb Schorr
Bob Workman

Commissioners Absent: Ray Stevens, Vice Chair

Others Present: Norm Agena, County Assessor/Register of Deeds
David Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

Others Absent: Kerry Eagan, Chief Administrative Officer

The Board of Equalization meeting was called to order at 1:45 p.m.

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, January 28, 2003. (A copy of these minutes is on file in the office of the Lancaster County Clerk.)

MOTION: Hudkins moved and Workman seconded approval of the minutes of the Board of Equalization meeting dated January 28, 2003. Schorr, Hudkins, Workman and Heier voted aye. Motion carried.

- 2) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

3) **ADDITIONS AND DEDUCTIONS:**

Approval of 162 additions and deductions to the tax assessment rolls per Exhibit A.

MOTION: Workman moved and Hudkins seconded approval of the additions and deductions to the tax assessment rolls. Workman, Heier, Schorr and Hudkins voted aye. Motion carried.

4) **MOTOR VEHICLE TAX EXEMPTIONS:**

**Capitol City Christian Church
First Evangelical Covenant Church
Madonna Rehabilitation Hospital
The Salvation Army
Union College**

MOTION: Hudkins moved and Workman seconded approval of the motor vehicle tax exemptions. Workman, Hudkins, Schorr and Heier voted aye. Motion carried.

5) **ADJOURNMENT:**

MOTION: Schorr moved and Workman seconded adjournment of the Board of Equalization meeting at 1:46 p.m. Hudkins, Workman, Heier and Schorr voted aye. Motion carried.

Bruce Medcalf
County Clerk